

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

Jessica Smith,

Plaintiff,

v.

Commercial Recovery Systems, Inc.; and
DOES 1-10, inclusive,

Defendant.

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: Civil Action No.: 3:11-cv-01184-GTS-DEP
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**NOTICE OF WITHDRAWAL OF COMPLAINT AND VOLUNTARY
DISMISSAL OF ACTION WITH PREJUDICE
PURSUANT TO RULE 41(a)**

Jessica Smith ("Plaintiff"), by Plaintiff's attorney, hereby withdraws the complaint and voluntarily dismisses this action, with prejudice, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i).

Dated: January 20, 2012

Respectfully submitted,

By: /s/ Sergei Lemberg

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Attorneys for Plaintiffs

IT IS SO ORDERED:



David E. Peebles
U.S. Magistrate Judge

Dated: January 23, 2012

CERTIFICATE OF SERVICE

I hereby certify that on January 20, 2012, a true and correct copy of the foregoing Notice of Withdrawal was served electronically by the U.S. District Court for the Northern District of New York Electronic Document Filing System (ECF) and that the document is available on the ECF system.

By /s/ Sergei Lemberg

Sergei Lemberg, Esq.